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July 15, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1644
Examiner R.B. Schwadron
Attn: Mail Stop Duplicates

Re: U.S. Utility Patent Application
Application No. 09/458,302; Filed: December 10, 1999
For: **Inducing Cellular Immune Responses to Carcinoembryonic Antigen
Using Peptide and Nucleic Acid Compositions**
Inventors: **FIKES et al.**
Our Ref: 2060.0080005/HCC/PAC

Sir:

In reply to the "Notice Under 37 C.F.R. 1.251 - Pending Application," dated May 16, 2005, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. A copy of the Notice Under 37 C.F.R. § 1.251 - Pending Application Statement;
2. Twenty-nine pages of Form PTO-1449 listing the 103 references from the IDS submitted on March 14, 2003 and received by your office on March 24, 2003;
3. Copies of the 103 IDS references requested; and
4. Return postcard.

The copy of the papers listed in the notice under 37 C.F.R. § 1.251 are a complete and accurate copy of applicant's record of such papers.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
July 15, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

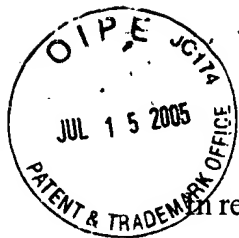
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
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EKS/PAC:dbj
Enclosures

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In re Application of: Fikes, John et al.
Application No.: 09458302
Filing Date: 12/10/99
Title: INDUCING CELLULAR IMMUNE RESPONSES TO
CARCINOEMBRYONIC ANTIGEN USING PEPTIDE AND
NUCLEIC ACID COMPOSITIONS
Direct to: U. S. Patent and Trademark Office
Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application

Statement (check the appropriate box):


☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

7/15/05
Date


Signature
Eric K. Steffe
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

PTO Doc Code: R251.RES (Rev. 03/05)



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/458,302 | 12/10/1999 | JOHN FIKES | 18623-014400 | 8701 |

50710 7590 05/16/2005

STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.
1100 NEW YORK AVE.
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| EXAMINER |
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SCHWADRON, RONALD B

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| ART UNIT | PAPER NUMBER |
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1644

DATE MAILED: 05/16/2005

COPY

Please find below and/or attached an Office communication concerning this application or proceeding.

2060.0086005

MAY 18 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

The references listed on the Information Disclosure Statement dated 3/24/03.

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

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